

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
WESTERN DIVISION**

KELLY and ANITA COSGRIFF,)	
)	
Plaintiffs,)	Case No. 16-cv-50037
)	
v.)	Judge Frederick J. Kapala
)	
COUNTY OF WINNEBAGO, <i>et al.</i>)	Magistrate Judge Iain D. Johnston
)	
Defendants.)	

PLAINTIFFS' MOTION FOR EXPENSES AND ATTORNEY FEES

Plaintiffs, Kelly & Anita Cosgriff, through their counsel, James J. Lessmeister and Jimmy A. Samad of Lessmeister & Associates, and pursuant to Fed. R. Civ. P. 4(d)(2)(A) and (B), moves this Honorable Court for his expenses and attorney fees against Defendant Josef Kurlinkus, and in support thereof respectfully states as follows:

1. On February 19, 2016, Kelly & Anita Cosgriff filed this action.
2. Pursuant to Fed. R. Civ. P (4)(d)(1), Kelly & Anita Cosgriff requested waivers of service from all Defendants and complied with the criteria set forth in Fed. R. Civ. P. 4.
3. On February 23, 2016, counsel for Kelly & Anita Cosgriff sent a letter via UPS Tracking # 1Z8526YENT92535031 to Defendant Josef Kurlinkus, requesting that service be waived. **Exhibit A.** Defendant Josef Kurlinkus refused to waive service.
4. Kelly & Anita Cosgriff effectuated service upon Josef Kurlinkus on March 31, 2016. **Exhibit B.**

5. Pursuant to Fed. R. Civ. P. 4(d)(2)(A), we respectfully requests that this Honorable Court award to Kelly & Anita Cosgriff the costs incurred to effectuate service.

6. To serve process on Josef Kurlinkus, Kelly & Anita Cosgriff incurred expenses in the amount of \$204.27. See **Exhibit C**.

7. Pursuant to Fed. R. Civ. P. 4(d)(2)(B), the law requires Josef Kurlinkus to pay the attorney's fees to file this motion.

8. We ask for one hour of attorney's fees to write and submit this motion. The hourly rate of James J. Lessmeister is \$350.00 per hour.

WHEREFORE, Plaintiffs Kelly & Anita Cosgriff request that this Honorable Court award them the costs and attorney's fees incurred to effectuate service and order such further relief that is just and proper.

Respectfully submitted,

s/James J. Lessmeister

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CERTIFICATE OF SERVICE

I, James J. Lessmeister, hereby certify that on May 31, 2016, I electronically filed the foregoing document with the Clerk of Court using the CM/ECF system which will send notification of this filing to the above named attorneys of record.

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Respectfully submitted,

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